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PATENT



ATTORNEY DOCKET NO. ACBI.044.01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Sharat Singh, *et al.*

Serial No.: 09/609,279

Filed: June 30, 2000

For: MULTIPLEXED STRAND  
DISPLACEMENT FOR NUCLEIC ACID  
DETERMINATIONS

)  
) Examiner: Not Yet Assigned  
)  
) Art Unit: 1645  
)  
)  
)  
) INFORMATION DISCLOSURE  
) STATEMENT TRANSMITTAL

Commissioner of Patent and Trademarks  
Washington, D.C. 20231

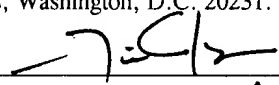
Sir:

Transmitted herewith for filing in the above-identified application is:

- ☒ [X] An Information Disclosure Statement.
- ☒ [X] A PTO 1449.
- ☒ [X] Copies of references C1-C5 listed on the PTO 1449 form.
- ☐ [ ] English translation of foreign language reference(s).
- ☐ [ ] Copy of foreign examination report.

"Express Mail" mailing label number E4637194283US

Date of Deposit 1-12-01  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
\_\_\_\_\_  
Francis Guen

- ☐ English translation of foreign examination report.
- ☒ Return postcard (postage prepaid).
- ☐ Also transmitted is: \_\_\_\_\_.
1. ☒ This Information Disclosure Statement is filed before the later of:
- ☐ three months from the filing date of this national application;
  - ☐ three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
  - ☒ the mailing date of a first office action on the merits.
- ☒ In accordance with 37 CFR 1.97(b), no fee is required.
2. ☐ This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:
- (1) a final action under 37 CFR 1.113; or
  - (2) a Notice of Allowance under 37 CFR 1.311.
- ☐ In accordance with 37 CFR 1.97(c) also enclosed is:
- ☐ a fee under 37 CFR 1.17(p) in the amount of \$210; or
  - ☐ a certification as stated below.
3. ☐ This Information Disclosure statement is filed before the payment of the issue fee, but after either:
- (1) a final action under 37 CFR 1.113; or
  - (2) a Notice of Allowance under 37 CFR 1.311.
- ☐ In accordance with 37 CFR 1.97(d) also enclosed is:

- (1) A certification, as stated below;
- (2) A Petition requesting consideration of the Information Disclosure Statement; and
- (3) The petition fee set forth in 37 CFR 1.17(i)(1) in the amount of \$130.

Certification

The undersigned also states:

- ☐ Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

**TOTAL FEES: \$ -0-**

- ☐ A check including the amount of the above indicated TOTAL FEES is attached.
- ☐ Please charge Deposit Account No. 23-0796 in the amount of: \$ \_\_\_\_.
- ☐ A check in the amount of \$ \_\_\_\_ is attached.
- ☒ No fee is required.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 23-0796.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

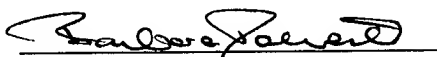
☒ Any patent application processing fees under 37 CFR 1.17.

☐ A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated:

January 11, 1991



Barbara Rae-Venter, Ph.D.

Reg. No. 32,750

Rae-Ventor Law Group  
P.O. Box 60039  
Palo Alto, CA 94306-0039  
Telephone (650) 328-4400  
Facsimile (650) 328-4477  
BRV/dhw



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For: **MULTIPLEXED STRAND  
DISPLACEMENT FOR NUCLEIC ACID  
DETERMINATIONS**

) Examiner: Not yet assigned

)

) Art Unit: 1645

)

) **INFORMATION DISCLOSURE  
STATEMENT**

)

)

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**BOX DD**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Copies of missing references C1-5 will be submitted under separate cover upon our receipt.

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" Label No.: EL637194283 US

Date of Deposit: 1-12-01

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

(Signature)

(Printed Name)

Francis Guerra



Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

The subject application is believed patentable over any of the above references.

Respectfully submitted,

Dated:

January 11, 2001

Barbara Rae-Venter, Ph.D.  
Reg. No. 32,750

RAE-VENTER LAW GROUP, P.C.  
P.O. Box 60039  
Palo Alto, CA 94306-0039  
Telephone (650) 328-4400  
Facsimile (650) 328-4477

BRV/dhw

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DOCKET NO. ACBI.044.01US

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 1 of 2

In re the application of: Sharat Singh, *et al.*

Art Unit: 1645

Serial No. 09/609,279

Examiner: Not Yet Assigned

Filed: June 30, 2000

## U.S. PATENT DOCUMENTS

Ref. <u>Desig.</u>	Examiner's <u>Initials</u>	Patent <u>Number</u>	<u>Date</u>	<u>Name</u>	Class/ <u>Subclass</u>	<u>Filing Date</u>
A1		5,648,213	7/15/97	M. P. Reddy, <i>et al.</i>		8/30/94
A2		5,514,543	5/7/96	P. D. Grossman, <i>et al.</i>		8/4/93
A3		5,580,732	12/3/96	P. D. Grossman, <i>et al.</i>		8/26/94
A4		5,830,653	11/3/98	B. Froehler <i>et al.</i>		6/7/95
A5		5,539,082	7/23/96	P. E. Nielsen <i>et al.</i>		4/26/93
A6		5,681,702	10/28/97	M. L. Collins <i>et al.</i>		8/30/94
A7		5,900,481	5/4/99	D. M. Lough <i>et al.</i>		11/6/96
A8		4,656,127	4/7/87	C. R. Mundy		4/23/84
A9		5,888,819	3/30/99	P. Goelet <i>et al.</i>		3/5/91

## FOREIGN PATENT DOCUMENTS

Ref. <u>Desig.</u>	Examiner's <u>Initials</u>	Document <u>Number</u>	<u>Date</u>	<u>Country</u>	Class/ <u>Subclass</u>	<u>Filing Date</u>
B1		WO9814610	4/9/98	WIPO		10/2/97
B2		WO9220702	11/26/92	WIPO		5/22/92
B3		WO9312129	6/24/93	WIPO		12/17/92
B4		WO9421820	9/29/94	WIPO		3/17/93
B5		EP416817	10/16/96	EPO		8/30/90

Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



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Washington, D.C. 20231

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
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(Use several sheets if necessary)  
Sheet 2 of 2

In re the application of: Sharat Singh, <i>et al.</i>	]	Art Unit: 1645
	]	
Serial No. 09/609,279	]	Examiner: Not Yet Assigned
	]	
Filed: June 30, 2000	]	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref.	Examiner's
Desig.	Initials
C1	Nielson, <i>et al.</i> . "Sequence-selective recognition of DNA by strand displacement with a thymine-substituted polyamide," <i>Science</i> 1991, 254:1497-1500.
C2	Shpaer, <i>et al.</i> <i>Genomic</i> 1996, 38:179-191.
C3	States and Agarwal, <i>Ismb</i> 1996, 4:211-217.
C4	Mott <i>et al.</i> <i>Comput. Appl. Bioci.</i> 1989, 5:123-131.
C5	Pearson and Lipman, <i>PNAS USA</i> 1988, 85:2444-2448.

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Date Considered:

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